

**SSB 6044 - H AMD 1247**

By Representative McCoy

ADOPTED 02/29/2012

1 Strike everything after the enacting clause and insert the  
2 following:

3  
4 "NEW SECTION. **Sec. 1.** A new section is added to chapter 54.16  
5 RCW to read as follows:

6 (1) Notwithstanding any other provision of this chapter to the  
7 contrary, a qualifying public utility district may supply any water,  
8 if authorized by a previously perfected water right under its control,  
9 to be used in a pumped storage generating facility to any entity that  
10 sells electric energy or water either directly or indirectly to the  
11 public.

12 (2) To qualify for the authority under this section, the public  
13 utility district must have satisfied all of the following requirements  
14 prior to the effective date of this act:

- 15 (a) Border the Columbia river;  
16 (b) Have obtained a water right from an industrial user; and  
17 (c) Hold a water right for which power generation is an authorized  
18 purpose.

19 (3) Water supplied to an entity under this section must be  
20 supplied consistent with a contract that contains the terms and  
21 conditions deemed appropriate by the commission of the qualifying  
22 public utility district. Contracts under this section must be made  
23 pursuant to a resolution of the commission that is introduced at a  
24 meeting of the commission at least ten days prior to the date of the  
25 adoption of the resolution. However, the commission shall first make  
26 adequate provision for the needs of the public utility district, both  
27 actual and prospective."

EFFECT: Limits the effect of the legislation to public utility districts that have previously obtained a water right from an industrial user and are not currently using the water for its original industrial uses.

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